

16085 U.S. PTO  
06/27/03

Attorney's Docket: 463-03062703

Express Mail No.: EL 741138935 US

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

17507 U.S. PTO  
10/608370  
06/27/03

**NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of  
Inventor(s):

WILLIAM C. STEVENSON

JAMES L. LAU

For (title):

METHOD FOR MANUFACTURING LOW COST ELECTROLUMINESCENT (EL)  
ILLUMINATED MEMBRANE SWITCHES

**1. Type of Application**

This new application is for a(n) (check one applicable item below):

☐ Original

☐ Design

☐ Plant

☒ Divisional of 09/942,339 filed on August 30, 2001

☐ Continuation

☐ Continuation-in-part (CIP)

**2. Benefit of Prior U.S. Application(s) (35 USC 120)**

☒ The new application being transmitted claims the benefit of prior U.S. application(s) and enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

**3. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b). (Regular) or 37 CFR 1.153 (Design) Application**

43 Pages of specification

19 Pages of claims

1 Pages of Abstract

5 Sheets of drawing

☒ formal

☐ informal

**CERTIFICATE OF MAILING**

I hereby certify that this paper or fee (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to: Mail Stop Patent Application Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

☐ 37 CFR 1.8(a)

with sufficient postage as first class mail.

☒ 37 CFR 1.10

as "Express Mail Post Office to Addressee"

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Date: June 27, 2003

Mary Kim

4. **Additional papers enclosed**

- ☒ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- ☐ Special Comments
- ☐ Other

5. **Declaration or oath**

- ☒ Enclosed  
executed by (check all applicable boxes)
  - ☒ inventor(s).
  - ☐ legal representative of inventor(s). 37 CFR 1.42 or 1.43
  - ☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.
    - ☐ this is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached.  
See item 13 below for fee.
- ☐ Not Enclosed.
  - ☐ Application is made by a person authorized under 37 CFR 1.41 (c) on behalf of all the above named inventor(s). The declaration or oath, along with the surcharge required by 37 CFR 1.16(e) can be filed subsequently.
  - ☐ Showing that the filing is authorized. (Not required unless called into question. 37 CFR 1.41(d).

6. **Inventorship Statement**

The inventorship for all the claims in this application are:

- ☒ The same.
- or
- ☐ Are not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,
  - ☐ is submitted.
  - ☐ will be submitted.

7. **Language**

- ☒ English
- ☐ non-English
  - ☐ the attached translation is a verified translation. 37 CFR 1.52(d).

8. **Assignment**

- ☒ An assignment of the invention to:

NOVATECH ELECTROLUMINESCENT, INC

- ☒ is attached.
- ☐ will follow.

**9. Certified Copy**

Certified copy(ies) of application(s)

(Country)	(Application no.)	(Filed)
(Country)	(Application no.)	(Filed)
(Country)	(Application no.)	(Filed)

from which priority is claimed

- ☐ is(are) attached. A separate "ASSIGNMENT COVER LETTER  
ACCOMPANYING NEW PATENT APPLICATION" is also attached.  
☐ will follow.

**10. Fee Calculation(37 CFR 1.16)**A. ☒ Regular application

CLAIMS AS FILED			
Number filed	Number Extra	Rate	Basic Filing Fee \$750.00
Total Claims 37 CFR 1.6(C) ( <u>44</u> - 20 = <u>24</u> )	24	\$18.00	\$432.00
Independent Claims 37 CFR 1.16(b) ( <u>1</u> - 3 = <u>0</u> )	0	\$84.00	0
Multiple dependent claim(s), if any 37 CFR 1.16(d)	0	\$280.00	0

- ☐ Amendment canceling extra claims enclosed.  
☐ Amendment deleting multiple-dependencies enclosed.  
☐ Fee for extra claims is not being paid at this time.

Filing Fee Calculation \$ 1,182.00

B. ☐ Design application  
(\$320.00-37 CFR 1.16(f))  
Filing Fee Calculation

\$ \_\_\_\_\_

C. ☐ Plant application  
(\$530.00-37 CFR 1.16(g))  
Filing Fee Calculation

\$ \_\_\_\_\_

**11. Small Entity Statement(s)**

- ☒ Verified Statement(s) that this is a filing by a small entity  
under 37 CFR 1.9 and 1.27 is(are) attached.

Filing Fee Calculation (50% of A, B or C above) \$ 591.00**12. Request for International-Type Search (37 CFR 1.104(d))**

(complete, if applicable)

- ☐ Please prepare an international-type search report for this  
application at the time when national examination on the merits  
takes place.

13. Fee Payment Being Made At This Time

☐ Not Enclosed

☐ No filing fee is to be paid at this time. (This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently.)

☒ Enclosed

☒ basic filing fee

\$ 591.00

☒ recording assignment

\$ 40.00

(\$40.00; 37 CFR 1.21(h))

☐ petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached.

(37 CFR 1.47 and 1.17(h))

\$ \_\_\_\_\_

☐ for processing an application with a specification in a non-English language. (\$130.00; 37 CFR 1.52(d) and 1.17(k))

\$ \_\_\_\_\_

☐ processing and retention fee

(\$120.00; 37 CFR 1.53(d) and 1.21(l))

\$ \_\_\_\_\_

☐ fee for international-type search report (\$40.00; 37 CFR 1.21(e)).

\$ \_\_\_\_\_

Total fees enclosed

\$ 591 + \$40

14. Method of Payment of Fees

☐ Check in the amount of \$ \_\_\_\_\_

☐ Charge Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_  
A duplicate of this transmittal is attached.

☒ Form PTO-2038 (Credit Card Payment Form) enclosed for \$631.00.

15. Authorization to Charge Additional Fees

☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 500314.

☒ 37 CFR 1.16(a), (f) or (g) (filing fees)

☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)

☒ 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

☒ 37 CFR 1.17 (application processing fees)

☐ 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b))

16. Instructions As To Overpayment

☒ credit Account No. 500314.

☐ refund

Reg. No. 39,081

Tel No.: (949) 251-0111

Fax No.: (949) 251-1588

WU & CHEUNG, LLP

By: 

Charles C.H. Wu

7700 IRVINE CENTER DRIVE, SUITE 710  
IRVINE, CALIFORNIA 92618-3043

☒ Incorporation by reference of added pages

Check the following item if the application in this transmittal claims the benefit of prior U.S. application(s) (including an international application entering the U.S. stage as a continuation, divisional or C-1-P application) and complete and attach the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR US APPLICATION(S) CLAIMED.

☒ Plus Added Pages For New Application Transmittal Where Benefit Of Prior U.S. Application(s) Claimed

Number of pages added: 3.

☐ Plus Added Pages For Papers Referred To In Item 4 Above

Number of pages added: \_\_\_\_\_.

☐ Plus "Assignment Cover Letter Accompanying New Application"

Number of pages added: \_\_\_\_\_.

☐ Statement Where No Further Pages Added

*(If no further pages form a part of this Transmittal then end this Transmittal with this page and check the following item)*

☐ THIS TRANSMITTAL ENDS WITH THIS PAGE.

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PATENT

ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF  
PRIOR U.S. APPLICATION(S) CLAIMED

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17. Relate Back

☐ Amend the specification by inserting, before the first line, the following sentence:

A. 35 U.S.C. § 119(e)

☐ "This application claims the benefit of U.S. Provisional Application(s) No(s)..  
APPLICATION NO(S)..  
FILING DATE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. 35 U.S.C. § 120 AND 365(c)

☒ "This application is a  
☐ continuation  
☐ continuation-in-part  
☒ divisional

of copending application(s)

☒ application number 09/942,339 filed on AUGUST 30, 2001

☐ International Application number \_\_\_\_\_ filed on \_\_\_\_\_  
and which designed the U.S."

☐ "The nonprovisional application designated above, namely application \_\_\_\_\_ / \_\_\_\_\_, filed \_\_\_\_\_, claims the benefit of U.S. Provisional Application(s) No(s)..  
APPLICATION NO(S)..  
FILING DATE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ Where more than one reference is made above, please combine all references into one sentence.

17. Relate Back-35 U.S.C. § 119 Priority Claim for Prior Application

The prior U.S. application(s), including any prior International Application designating the U.S., identified above in item 17B, in turn itself claim(s) foreign priority(ies) as follows:

Country

App'l. no.

Filed on

The certified copy(ies) has (have)  
☐ been filed on \_\_\_\_\_, in prior application  
of \_\_\_\_\_, which was  
☐ is (are) attached.

**18. Maintenance of Copendency of Prior Application**

A. ☐ Extension of time in prior application

(This item must be completed and the papers filed in the prior application, if the period set in the prior application has run.)

☐ A petition, fee and response extends the term in the pending prior application until \_\_\_\_\_

☐ A copy of the petition filed in prior application is attached.

B. ☐ Conditional Petition for Extension of Time in Prior Application

(Complete this item, if previous item not applicable)

☐ A conditional petition for extension of time is being filed in the pending prior application.

☐ A copy of the conditional petition filed in the prior application is attached.

**20. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

(Complete applicable item (a), (b) and/or (c) below)

- (a) ☒ This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventors(s) in this application are ☒ the same.  
☐ less than those named in the prior application. It is requested that the following inventor(s) identified for the prior application be deleted:

\_\_\_\_\_  
(type name(s) of inventor(s) to be deleted)

- (b) ☐ This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application, the inventor(s) in this application are ☐ the same.  
☐ the following additional inventor(s) have been added:

\_\_\_\_\_  
(type name(s) of inventor(s) to be added)

- (c) The inventorship for all the claims in this application are ☒ the same.  
☐ not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made ☒ is submitted.  
☐ will be submitted.

**21. Abandonment of Prior Application (if applicable)**

☐ Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is

granted a filling date, so as to make this application copending with said prior application.

**22. Petition for Suspension of Prosecution for the Time Necessary to File an Amendment**

☐ There is provided herewith a Petition To Suspend Prosecution for the Time Necessary to File An Amendment (New Application Filed concurrently)

**23. Small Entity (37 C.F.R. § 1.28(a))**

☒ Applicant has established small entity status by the filing of a statement in parent application 09/942,339 filed on AUGUST 30, 2001.

☐ A copy of the statement previously file is included.

**24. Notification in Parent Application of This Filing**

☒ A notification of the filing of this

☐ Continuation

☐ Continuation-in-part

☒ divisional

is being filed in the parent application, from which this application claims priority under 35 U.S.C. § 120.



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☐ 37 64CFR 1.8(a)  
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Mailing label no.: EL 741138935 US

Date: June 27, 2003

  
\_\_\_\_\_  
Mary Kim

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\_\_\_\_\_  
Mary Kim